

REMARKS

Reconsideration of the application in view of Applicants' remarks is respectfully requested. No amendments are made herein.

The Office Action rejects claims 1 and 10-14 under 35 U.S.C. §103(a) over Vallmajo et al. (US 6,791,723) in view of Meyer et al. (US 2002/0116278). The Office Action rejects claims 3-7, 9, 16-20, and 22-38 under 35 U.S.C. §103(a) over Vallmajo et al. in view of Meyer et al., and further in view of Redd et al. (US 6,646,754). The Office Action rejects claims 8 and 21 under 35 U.S.C. §103(a) over Vallmajo et al. in view of Meyer et al., and further in view of Liebenow (US 2002/0085840). For at least the following reasons, Applicants traverse each rejection.

The remarks set forth in the Preliminary Amendment filed December 22, 2006, are herein incorporated by reference in their entirety. As stated in the Preliminary Amendment, independent claims 1, 14, 26, and 32 claim that the identifier is generated for the *image bearing product(s)* selected, and is used to generate the selected image bearing product(s) using the image saved on the network from any of the networked kiosks.

Applicants argued in the Preliminary Amendment that Vallmajo et al. is not relied upon for the teachings that an identifier is associated with an image bearing product, and does not disclose or suggest generating a selected image bearing product using an identifier. This is not disputed by the Patent Office.

Meyer et al. (typographically misidentified as "Mayer et al." in the Preliminary Amendment) associates an "identifier" in the form of a code number with an image or network accessible location. As stated at paragraph 0021 of Meyer et al., cited by the Patent Office:

[0021] The transaction machine can also print out a receipt for the point-of-sale transaction (block 118). The receipt may provide identifying information about the digital images that were paid for. For example, the receipt may provide a list of the images and *a code number for each of the listed images*. The code number would make it easier and more secure for the customer to access the stored images from the remote site. (Emphasis added.)

Paragraph 31 of Meyer et al., also cited by the Patent office, states:

[0031] If the printer **306** is an inkjet printer, the processor **300** can command the printer **306** to print thumbnails of paid-for images on the receipt. Printing the thumbnails and associated storage codes helps the customer identify the images that were stored at the remote site and allows the customer (and others) to quickly and easily download the images from the remote site.

As described, it is the *electronically stored images* that are identified by a code in Meyer et al. such that a customer can recall a specific image or images from the remote electronic storage site using a given code. The printing of thumbnails identifies the image associated with a given code for the convenience of the user, but is not itself an image-bearing product as defined by Applicants. The code associated with the electronically stored image in Meyer et al. bears no information for generating an image bearing product, for example, a photograph of a specified size, a mug, a t-shirt, a photo puzzle, or other product as described at least at page 6, line 29, - page 7, line 3, of Applicants' specification.

To produce an image bearing product, Meyer et al. would require the user to retrieve the image using the code, select a product to make from the image, and then make the product. In contrast, Applicant claims identifying a final image bearing product, and generating a code associated with the product, such that entry of the code *automatically* generates the desired product without further efforts of selection by the user. This enables, for example, remote gift giving without shipment by sending a code identifying a product, for example, a photo-mug, to a relative, who then goes to a networked kiosk, enters the code, and retrieves the photo-mug produced locally. Meyer et al. associates a code with an electronically stored image, not an *image bearing product*, and therefore does not overcome the deficiencies of Vallmajo et al.

For at least the reasons presented in the Preliminary Amendment, neither Redd et al. nor Liebenow overcome the deficiencies of Vallmajo et al. and Meyer et al.

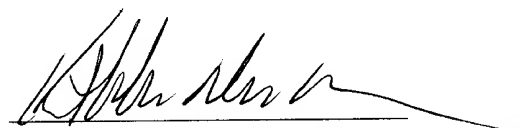
For at least the reasons set forth above, none of the cited references of Vallmajo et al., Meyer et al., Redd et al., or Liebenow, taken alone or in any combination, teach, disclose, or suggest all of the features of the claimed invention, particularly associating an identifier with an *image bearing product*, or generating an *image bearing product* using the identifier. A *prima facie* case of

obviousness not having been established, reconsideration and withdrawal of each of the rejections are in order, and are respectfully requested.

For at least the above reasons, all of pending claims 1, 3-14, and 16-38 are in condition for allowance. Reconsideration and prompt action in the form of a Notice of Allowance are thus respectfully solicited.

Should the Examiner require anything further, or have any questions, the Examiner is asked to contact Applicants' undersigned representative.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kathleen Neuner Manne', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.